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10/783,257

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Chang Sup Lee

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EXAMINER

PARRY, CHRISTOPHER L

ART UNIT

PAPER NUMBER

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/783,257

**Applicant(s)**

LEE, CHANG SUP

**Examiner**

CHRIS PARRY

**Art Unit**

2623

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-17 and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Specification***

3. Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.
4. Claim 4 recites the limitation "wherein the browser is any one of a browser embedded in the Internet terminal" fails to further limit claim 3 because claim 3 recites "the Internet terminal has a browser embedded". Therefore there is no difference between the limitations recited for each claim.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 3-8, 10-12, 14-17 and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Lu (US Pub. No. 2003/0041334 A1).

Regarding Claim 1, Lu discloses a digital broadcasting system (100 - figure 1, ¶ 0032) comprising:

a transmitting means (102 – figure 1) having a unit for generating a digital broadcast (i.e., server 102 receives a plurality of broadcast channels in MPEG format or "digital") including a digital audio/video broadcast (i.e., television broadcast channels which inherently contain audio and video are broadcast in MPEG format) (¶ 0025 and 0032) and a data broadcast (¶ 0039), and a unit for registering the digital audio/video broadcast or data broadcast on a certain Internet site (i.e., video server supplies broadcast channel to an Internet address) (¶ 0026); and

an Internet terminal (106 – figure 1) connecting to the Internet site (via Wireless Application Protocol) to receive the digital audio/video broadcast or the data broadcast (¶ 0028-0030 and 0039).

As for Claim 3, Lu teaches wherein the Internet terminal [106] has a browser (114 – figure 2A) embedded therein for allowing connection to the Internet site (§ 0029; figure 2A).

As for Claim 4, Lu teaches wherein the browser (114 – figure 2A) is any one of a browser embedded in the Internet terminal (§ 0029).

As for Claim 5, Lu teaches wherein the Internet site stores the digital broadcast or the data broadcast continuously produced (§ 0026, 0028, 0030, and 0033-0034).

As for Claim 6, Lu teaches the digital broadcasting system according to claim 1, further comprising means for converting the digital broadcast and the data broadcast into an Internet-supporting format, if the digital broadcast or the data broadcast is not in the Internet-supporting format (i.e., broadcast channels are supplied to Internet address 104 at a reduced quality by lowering the frame rate and resolution of a broadcast channel) (§ 0027, 0033, and 0039).

As for Claim 7, Lu teaches wherein the Internet terminal [106] is one of a PDA, a mobile terminal, a widely used computer, a portable computer, or a home electric appliances with an Internet function (§ 0028-0031).

Regarding Claim 8, Lu discloses a method for operating a digital broadcast at a transmitting unit (102 – figure 1) of a digital broadcast system (100 – figure 1) (§ 0032), the method comprising:

producing a data broadcast (§ 0039);

generating the digital broadcast (i.e., server 102 receives a plurality of broadcast channels in MPEG format or "digital") by using the data broadcast and a digital audio/visual broadcast (i.e., television broadcast channels which inherently contain audio and video are broadcast in MPEG format) (§ 0025-0026, 0032, and 0039); and

registering the produced data broadcast or the generated digital audio/visual broadcast on a certain Internet site (i.e., video server supplies broadcast channel to an Internet address) (§ 0026),

wherein the produced data broadcast or the generated digital audio/visual broadcast is provided depending on a viewer's request (§ 0034-0037).

As for Claim 10, Lu teaches wherein the Internet site stores the digital audio/video broadcast or the data broadcast continuously produced (§ 0026, 0028, 0030, and 0033-0034).

As for Claim 11, Lu teaches the method according to claim 8, further comprising converting the generated digital audio/visual broadcast and the produced data broadcast into an Internet-supporting format if the generated digital audio/visual broadcast and the produced data broadcast are not in the Internet-supporting format

(¶¶ 0027 and 0033).

Regarding Claim 12, Lu discloses a method for operating a digital broadcast at an Internet terminal (106 – figure 1) of a digital broadcasting system (100 – figure 1), the method comprising the steps of:

connecting to an Internet site providing a digital audio/visual broadcast and a data broadcast (¶¶ 0029-0030, 0034, and 0037-0039);

selecting the broadcast that is intended to be viewed (¶¶ 0037); and

downloading and displaying the selected broadcast (¶¶ 0035-0039).

As for Claim 14, Lu teaches wherein one of the dedicated browser provided from the Internet site or a browser (114 – figure 2A) embedded in the Internet terminal [106] is used to connect to the Internet site (¶¶ 0029 and 0037).

As for Claim 15, Lu teaches wherein in case that a linked Internet site exists among the selected broadcasts, a viewer moves to the linked Internet site depending on his/her request (¶¶ 0035-0039).

As for Claim 16, Lu teaches wherein the digital audio/visual broadcast and the data broadcast are selected (¶¶ 0034-0039).

Regarding Claim 17, Lu discloses a method for operating a digital broadcasting system (100 – figure 1) (§ 0032), the method comprising the steps of:

registering a digital audio/visual broadcast or a data broadcast on a certain Internet site (i.e., video server supplies broadcast channel to an Internet address) (§ 0026);

connecting to the Internet site to select the broadcast that is intended to be viewed (§§ 0029-0030, and 0034-0039); and

downloading and displaying the selected broadcast (§ 0035-0039).

As for Claim 19, Lu teaches wherein the Internet site has a plurality of digital broadcasts or data broadcasts continuously stored (§ 0026, 0028, 0030, and 0033-0039).

As for Claim 20, Lu teaches wherein the data broadcast has a linked Internet site (§ 0035-0039).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



8. Claims 2, 9, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu (US Pub. No. 2003/0041334 A1).

As for Claim 2, Lu fails to specifically disclose wherein the data broadcast is produced based on a markup or Java® programming language.

The examiner gives Official Notice that it is notoriously well known in the art to produce data programs using well known programming languages such as Java or Markup. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Lu to include wherein the data broadcast is produced based on a markup or Java® programming language for the benefit of using a secure, object orientated programming language that uses less memory, that is independent form and is used is commonly used to create web applications.

As for Claim 9, Lu fails to specifically disclose wherein the Internet site provides a viewer with a dedicated browser.

The examiner gives Official Notice that it is notoriously well known in the art for an Internet site to provide a browser or a media player in order to view the content on the site. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Lu to include wherein the Internet site provides a viewer with a dedicated browser for the benefit of allowing a viewer to view the displayed content on the Internet site.

As for Claim 13, Lu fails to specifically disclose the method according to claim 12, further comprising downloading and installing a dedicated browser if the dedicated browser exists in the Internet site.

The examiner gives Official Notice that it is notoriously well known in the art for an Internet site to provide a browser or a media player in order to view the content on the site. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Lu to include wherein the Internet site provides a viewer with a dedicated browser for the benefit of allowing a viewer to view the displayed content on the Internet site.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRIS PARRY whose telephone number is (571) 272-8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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